

REMARKS

Claims 1-22 are pending in the application. Claims 21 and 22 are withdrawn from consideration. Claims 1-20 are rejected. Claims 1 and 13 are herein amended. No new matter has been entered. Claims 7, 12, 17 and 20 are herein canceled.

Claim Rejections - 35 U.S.C. §102

Claims 1-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Diodato et al. (U.S. Patent No. 6,794,694).

The Examiner asserts that Diodato et al. discloses a method of a method of fabricating semiconductor memory device comprising the steps of: forming charge storage film (42, Fig. 1) for storing electric charge; and erasing electric charge stored the charge storage film (42, Fig. 8) by subjecting said charge storage film to hydrogen annealing after the formation thereof [col. 2, line 65 - col. 3, line 1 and col. 6, lines 27-41].

Applicants herein amend claims 1 and 13. Thereafter, Applicants disagree with the rejection because not all of the claimed process limitations are taught or suggested by the cited reference.

Applicants note that in Diodato et al. the processing of annealing or the like is carried out on the charge storage electrode 42 formed of TiN and so forth, which constructs capacitor 20. On the other hand in the present invention, such processing is conducted to the dielectric film (insulating film) including silicon nitride film 15, which constructs gate electrodes. Thus, the recipients of the processing step differ by the present invention and Diodato et al.

Applicants further note that Diodato et al. does not teach nor suggest the step of erasing the unnecessary charge stored in the charge storage film during the fabrication process.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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